

1 AMENDMENT TO SENATE BILL 1548

2 AMENDMENT NO. _____. Amend Senate Bill 1548, by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Sections 10-26 and 12-8.1 as follows:

6 (305 ILCS 5/10-26)

7 Sec. 10-26. State Disbursement Unit.

8 (a) Effective October 1, 1999 the Illinois Department
9 shall establish a State Disbursement Unit in accordance with
10 the requirements of Title IV-D of the Social Security Act.
11 The Illinois Department shall enter into an agreement with a
12 State or local governmental unit or private entity to perform
13 the functions of the State Disbursement Unit as set forth in
14 this Section. The State Disbursement Unit shall collect and
15 disburse support payments made under court and administrative
16 support orders:

17 (1) being enforced in cases in which child and
18 spouse support services are being provided under this
19 Article X; and

20 (2) in all cases in which child and spouse support
21 services are not being provided under this Article X and
22 in which support payments are made under the provisions

1 of the Income Withholding for Support Act.

2 (a-2) The contract entered into by the Illinois
3 Department with a public or private entity or an individual
4 for the operation of the State Disbursement Unit is subject
5 to competitive bidding. In addition, the contract is subject
6 to Section 10-26.2 of this Code. As used in this subsection
7 (a-2), "contract" has the same meaning as in the Illinois
8 Procurement Code.

9 (a-5) If the State Disbursement Unit receives a support
10 payment that was not appropriately made to the Unit under
11 this Section, the Unit shall immediately return the payment
12 to the sender, including, if possible, instructions detailing
13 where to send the support payments.

14 (b) All payments received by the State Disbursement
15 Unit:

16 (1) shall be deposited into an account obtained by
17 ~~the Illinois Department the State or local governmental~~
18 ~~unit or private entity, as the case may be,~~ and

19 (2) distributed and disbursed by the State
20 Disbursement Unit, in accordance with the directions of
21 the Illinois Department, pursuant to Title IV-D of the
22 Social Security Act and rules promulgated by the
23 Department.

24 (c) All support payments assigned to the Illinois
25 Department under Article X of this Code and rules promulgated
26 by the Illinois Department that are disbursed to the Illinois
27 Department by the State Disbursement Unit shall be paid into
28 the Child Support Enforcement Trust Fund.

29 (d) If the agreement with the State or local
30 governmental unit or private entity provided for in this
31 Section is not in effect for any reason, the Department shall
32 perform the functions of the State Disbursement Unit as set
33 forth in this Section for a maximum of 12 months before July
34 1, 2001, and for a maximum of 24 months after June 30, 2001.

1 If the Illinois Department is performing the functions of the
2 State Disbursement Unit on July 1, 2001, then the Illinois
3 Department shall make an award on or before December 31,
4 2002, to a State or local government unit or private entity
5 to perform the functions of the State Disbursement Unit.
6 Payments received by the Illinois Department in performance
7 of the duties of the State Disbursement Unit shall be
8 deposited into the State Disbursement Unit Revolving Fund
9 established under Section 12-8.1. Nothing in this Section
10 shall prohibit the Illinois Department from holding the State
11 Disbursement Unit Revolving Fund after June 30, 2003.

12 (e) By February 1, 2000, the Illinois Department shall
13 conduct at least 4 regional training and educational seminars
14 to educate the clerks of the circuit court on the general
15 operation of the State Disbursement Unit, the role of the
16 State Disbursement Unit, and the role of the clerks of the
17 circuit court in the collection and distribution of child
18 support payments.

19 (f) By March 1, 2000, the Illinois Department shall
20 conduct at least 4 regional educational and training seminars
21 to educate payors, as defined in the Income Withholding for
22 Support Act, on the general operation of the State
23 Disbursement Unit, the role of the State Disbursement Unit,
24 and the distribution of income withholding payments pursuant
25 to this Section and the Income Withholding for Support Act.

26 (Source: P.A. 91-212, eff. 7-20-99; 91-677, eff. 1-5-00;
27 91-712, eff. 7-1-00; 92-44, eff. 7-1-01.)

28 (305 ILCS 5/12-8.1)

29 Sec. 12-8.1. State Disbursement Unit Revolving Fund.

30 (a) There is created a revolving fund to be known as the
31 State Disbursement Unit Revolving Fund, to be held by the
32 Director of the Illinois Department, outside the State
33 treasury, for the following purposes:

1 (1) the deposit of all support payments received by
2 the Illinois Department's State Disbursement Unit;

3 (2) the deposit of other funds including, but not
4 limited to, transfers of funds from other accounts
5 attributable to support payments received by the Illinois
6 Department's State Disbursement Unit;

7 (3) the deposit of any interest accrued by the
8 revolving fund, which interest shall be available for
9 payment of (i) any amounts considered to be Title IV-D
10 program income that must be paid to the U.S. Department
11 of Health and Human Services and (ii) any balance
12 remaining after payments made under item (i) of this
13 subsection (3) to the General Revenue Fund; however, the
14 disbursements under this subdivision (3) may not exceed
15 the amount of the interest accrued by the revolving fund;

16 (4) the disbursement of such payments to obligees
17 or to the assignees of the obligees in accordance with
18 the provisions of Title IV-D of the Social Security Act
19 and rules promulgated by the Department, provided that
20 such disbursement is based upon a payment by a payor or
21 obligor deposited into the revolving fund established by
22 this Section; and

23 (5) the disbursement of funds to payors or obligors
24 to correct erroneous payments to the Illinois
25 Department's State Disbursement Unit, in an amount not to
26 exceed the erroneous payments.

27 (b) (Blank). ~~The provisions of this Section shall apply~~
28 ~~only if the Department performs the functions of the Illinois~~
29 ~~Department's State Disbursement Unit under paragraph (d) of~~
30 ~~Section 10-26.~~

31 (Source: P.A. 91-712, eff. 7-1-00; 92-44, eff. 7-1-01.).